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NOMINATIONS OF PETER C. MYERS AND CHRISTOPHER HICKS

HEARING

BEFORE THE

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY UNITED STATES SENATE

NINETY-NINTH CONGRESS

SECOND SESSION

ON

THE NOMINATIONS OF PETER C. MYERS, OF MISSOURI, TO BE DEPUTY SECRETARY OF AGRICULTURE AND CHRISTOPHER HICKS, OF MARYLAND, TO BE GENERAL COUNSEL, U.S. DEPARTMENT OF AGRICULTURE

MAY 21, 1986

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NOMINATIONS OF PETER C. MYERS, TO BE DEPUTY SECRETARY OF AGRICULTURE, AND CHRISTOPHER HICKS, TO BE GENERAL COUNSEL, U.S. DEPARTMENT OF AGRICULTURE

WEDNESDAY, MAY 21, 1986

U.S. SENATE,
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, DC.

The committee met, pursuant to notice, at 10:15 a.m., in room SR-332, Russell Senate Office Building, Hon. Jesse Helms (chairman of the committee) presiding.

Present: Senators Helms, Cochran, Wilson, McConnell, and Zorinsky.

STATEMENT OF HON. JESSE HELMS, A U.S. SENATOR FROM NORTH CAROLINA

The CHAIRMAN. The committee will come to order. The Chair apologizes for being late. I told Senator Danforth I was busy saving a Burlington Mills plant in Rome. They are about to close the plant down, and I could not let that happen. But I am sorry to keep you waiting.

This morning the committee will consider the nominations of Peter C. Myers to serve as Deputy Secretary of Agriculture, and Christopher Hicks to serve as General Counsel at the USDA.

Pete Myers is well known to the members of this committee. For the record, let me say that he has served admirably as Chief of the Soil Conservation Service from 1982 to 1985, and as Assistant Secretary for Natural Resources and Environment since May 1985. He has played a major role in the development of the national conservation and forestry policy in these respective positions, and I am particularly grateful to Pete for his personal help and involvement in the development of the sodbuster, swampbuster, and conservation reserve portions of the 1985 farm bill.

Chris Hicks is perhaps not as well known to the members of this committee, but he is an old hand with the administration. Chris began his service in 1981 as Associate Counsel in the Office of Counsel at the White House, and he later served as Executive Assistant to the Secretary of the Treasury, and currently is Deputy Assistant to the President for Administration, and Director of the White House Office of Administration. He served with distinction in each post that he has held and will undoubtedly do so again.

I am going to ask both the gentlemen if they will come up here. Peter, please sit here and Chris, please sit next to the distinguished Senator from Mississippi, Mr. Cochran.

Senator COCHRAN. Good morning, Mr. Chairman.

The CHAIRMAN. Let me first welcome the distinguished Senator from Missouri, Mr. Danforth. I believe he has a few kind words to say about one of the nominees.

STATEMENT OF HON. JOHN DANFORTH, A U.S. SENATOR FROM MISSOURI

Senator DANFORTH. I do, Mr. Chairman. Thank you very much. It is a pleasure to be back in this room. The last time I was here was to present Peter Myers, who at that time was being considered as the President's nominee for Assistant Secretary of Agriculture for Natural Resources and Environment.

Peter Myers is a very well-known Missourian. He is an outstanding citizen of our state. He is a person who is very civic minded. He is a family man. He has a wife and five children, one of whom I'm happy to say works in my office here in the Russell Building, Gretchen, who is here today.

I think that in a job such as this, Deputy Secretary of Agriculture, there are three basic requirements. First, I believe, and I know a lot of farmers believe, that it is important to have somebody who knows farming and knows agriculture, somebody who has been an active, practicing farmer in the top positions of the Department of Agriculture. Pete Myers is a farmer.

He has practiced farming from 1955 to 1982 at his home in Matthews, MO. He has been a row crop farmer and a livestock farmer. He was selected in 1966 by the JC's of Missouri as the "Outstanding Young Farmer of Missouri." He has been a board member of the Missouri Farm Bureau, vice president of the Missouri Pork Producers Association, and director of the Missouri Cattlemen's Association.

So he has not only been active as a farmer himself, but has been a participant in a variety of farm organizations. In addition to his background, practicing farming, he also knows his way around Washington by now. I have heard on so many occasions favorable comments from those who deal with the Department of Agriculture and those within the Department of Agriculture on the excellent performance of Pete Myers.

But in addition to those two qualities, namely being a farmer and knowing his way around government, Pete has something else to offer. He is just a darn-good human being. He has a wonderful wife and family. Gretchen, as I said, is in my office. His son, Peter, Jr., I have known since he was a kid. He is now practicing law in Sikeston, so time flies. But there is absolutely no doubt in my mind that Pete is an excellent candidate. It is a true pleasure and honor, Mr. Chairman, for me to be back before your committee and represent to you Peter Myers.

The CHAIRMAN. I would say that you have been well introduced. But we aren't through yet.

Mr. MYERS. Yes, sir.

The CHAIRMAN. Thank you, Jack. We would be glad for you to stay around. I see the distinguished ranking Democratic member has arrived, Mr. Zorinsky. I wonder if——

Senator DANFORTH. Mr. Chairman, also with us today are two Congressmen from Missouri.

The CHAIRMAN. I was just going to say—I tell you what I want to do. I want Jay to come over here. This is Pete's grandson. Are you proud of him?

Mr. MYERS. Yes, sir.

The CHAIRMAN. All right. What I want you to do is hit that gavel. Let it go. That is a signal for the Honorable Gene Taylor, Congressman from the Seventh Congressional District of Missouri; Bill Emerson, Congressman from the Eighth Congressional District of Missouri; and the Honorable Bud Hillis from the Fifth Congressional District of Indiana, if you gentlemen would come up here and sit on this side we would be glad to hear from you.

While they are coming up, let me have the pleasure of presenting, and ask them to stand, Mrs. Myers. Mary, will you stand, please? And Peter, Jr. And this here is Jay, the grandson.

Senator DANFORTH. And Gretchen.

The CHAIRMAN. Oh, Gretchen, of course. Excuse me. Chris Hicks has his dear wife, Betsy, if you will stand up. And Austin, son, 5 years old, Austin, you are going to get to hit the gavel, too.

All right. Congressman Taylor, we will be glad to hear from you, sir.

STATEMENT OF HON. GENE TAYLOR, A REPRESENTATIVE IN CONGRESS FROM THE SEVENTH DISTRICT OF MISSOURI

Mr. TAYLOR. Thank you very much, Mr. Chairman, I appreciate very much the opportunity to speak on behalf of my friend and fellow Missourian, Pete Myers, this morning, who will, I hope, become the Deputy Secretary for the Department of Agriculture. More than State pride enters into my comments this morning, Mr. Chairman, because I know that Pete is highly qualified for this job.

Over the years, he has acquired a thorough knowledge and understanding of the Department's programs since he has been here in Washington which gives him the skill and expertise to be a good administrator.

He has acquired a great record in Missouri. He has served, as Senator Danforth mentioned, many of the farm organizations in our State, the Missouri Cattlemen's Association, the Missouri Pork Producers Association, the Missouri Farm Bureau. He was an active member of the Missouri Conservation Commission before coming to Washington.

In addition to his years of living on the farm and working on plowed ground, he has taken time from his busy schedule to be a good citizen and to give a goodly portion of his time to good programs and to the betterment of agriculture and our community, the community in which he lives, and our State.

He has the hands-on experience that the job, I believe, Mr. Chairman, demands. He is able to recognize problems and offer remedies to deal with them. I am confident that Pete Myers will be an important asset to the President, to the Secretary, to the De-

partment, and most importantly, Mr. Chairman, to the farmers of this Nation. They will all be served well by Pete Myers' appointment to this very, very important post.

I thank you, Mr. Chairman, for the opportunity to be here to speak out for Pete Myers, and I sincerely hope that this committee will act affirmatively upon this nomination.

The CHAIRMAN. And quickly. Thank you, very much, sir. Congressman Emerson.

STATEMENT OF HON. BILL EMERSON, A REPRESENTATIVE IN CONGRESS FROM THE EIGHTH DISTRICT OF MISSOURI

Mr. EMERSON. Thank you, Mr. Chairman. I have a statement that I would like to submit for the record; my own, and also Congressman Coleman from Missouri asked me to submit a statement for the record on his behalf.

The CHAIRMAN. They will, without objection, be made a part of the record.[1]

Mr. EMERSON. Mr. Chairman, members of the committee, it is a very high honor for me to be here today to say a word in behalf of my longstanding friend and fellow southeast Missourian, Peter Myers.

You know, when I first started running for Congress back in 1979, I knew that I was running in a district that was well-steeped in agriculture; but frankly, I did not understand the intricacies of a lot of farm programs, where farmers wanted to get from where they then were. It was just almost an automatic thing that in seeking out advice on these subjects that I went to Peter Myers.

Virtually everyone said Peter is the "someone" you have to talk to. He is the premier farmer of southeast Missouri. I went to him, and he gave me a lot of good advice and it has served me well ever since. But, you know, I have reflected many times that shortly after I got to Washington as a Congressman people started asking me about this fellow, Peter Myers, down in southeast Missouri, and the good reputation that he had as a practicing soil conservationist, as a row crop farmer, as a cattle farmer, a hog farmer. Pretty soon they were calling me up to say, "do you think he could come to Washington to fill a position with the Soil Conservation Service?" I said, I know of no better person anywhere who could be the Director of the Soil Conservation Service. So he came and served in that capacity, and I was glad to see that people nationally recognized him as we recognize him in southeast Missouri for his outstanding reputation as a true practitioner in the best sense of the word. A great steward of the land is what Peter is, and other people emulate him and for good reason.

Of course, one thing led to another, and he became an Assistant Secretary, and now he has been nominated by the President to be the number two person, the Deputy Secretary. This comes really as no surprise to those of us who know him and who know him well. My point in being here today is to say that, yes, everything you hear about Peter is true. He is a fine individual. He is a highly qualified individual.

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[1] See p. 18 for the prepared statement of Representative Emerson and p. 19 for the statement of Representative Coleman.

He is an honest-to-goodness farmer. He has done it all. He has wonderful service here in the Government, wonderful service with the Missouri Conservation Commission. He knows what it is all about. I think we would have to look far and wide before we could find someone who had qualifications that surpass those of Peter Myers to be Deputy Secretary of Agriculture. So it is with a great deal of pleasure on my part, pride and honor really, to be here just to give Peter the strongest possible endorsement.

He does have, as Senator Danforth noted, a wonderful family. They are a part of the team. Mary and their children will be tremendous assets to Peter as he embarks upon and undertakes this very serious job as the No. 2 person in the Department of Agriculture. It is just a real honor for me to be able to be here to say these words in his behalf, to urge this committee to report him expeditiously, and I hope that the Senate will confirm him promptly. Thank you very much for this opportunity.

The CHAIRMAN. Thank you. A very fine statement. Pete, I know you are proud of that one, too.

Mr. MYERS. Yes, sir. Good friends.

The CHAIRMAN. Bud Hillis, we are delighted to have you, and we would be honored to hear from you at this time.

STATEMENT OF HON. BUD HILLIS, A REPRESENTATIVE IN CONGRESS FROM THE FIFTH DISTRICT OF INDIANA

Mr. HILLIS. Mr. Chairman, it is my honor to be with you this morning, first to appear before this distinguished committee, and also to have the distinct pleasure and honor of introducing to you for your consideration a good friend, and really an old friend, Chris Hicks.

Chris and I go back a long way. We were constituents in my congressional district and he also was a neighbor in my hometown and lived just down the street. We have known each other for many, many years. He is a person of the highest character and integrity. I think that is very important in the consideration of anyone who is going to be confirmed into such an important position as this one. His record is also outstanding. He was a trial lawyer and graduated from SMU and with the firm of Fulbright and Jaworski in Houston. Then, his experience led him on political paths, and he was involved in the 1980 campaign of the Reagan-Bush team and came on to Washington where he has held a number of important positions, both with the Department of Treasury and with the administration in the White House.

I know that he has looked forward to getting back into the legal arena, so to speak, and that he will manage the legal resources of the Department of Agriculture in a most admirable way, and would do an excellent job. I am most happy to be able to come over to recommend him for his confirmation here today before the committee.

The CHAIRMAN. We certainly appreciate your coming. We will call on our distinguished colleague, Senator Zorinsky, for any statement he may wish to make.

STATEMENT OF HON. EDWARD ZORINSKY, A U.S. SENATOR FROM NEBRASKA

Senator ZORINSKY. Thank you, Mr. Chairman. The two persons whose nominations the committee is considering today will occupy two of the most important posts in the Department of Agriculture. It is essential that their nominations be considered as promptly as possible.

Mr. Myers will prove, I believe, to be a distinguished Deputy Secretary of Agriculture. Last May, we confirmed him as the Assistant Secretary for Natural Resources and Environment. He has performed well in that position and merits the promotion he is receiving.

Mr. Hicks comes to us with the highest recommendations, and shows every promise of being the type of fine Chief Counsel that we have come to expect of the Department of Agriculture. Mr. Chairman, because of the importance of the positions that these two gentlemen will occupy, I hope that we will have an expeditious hearing, waive the committee's usual waiting period before voting on the nominations, and have the Senate confirm the nominees before we recess for the Memorial Day holiday.

Mr. Chairman, it is also my hope that the Senate will be able to consider today the nominations of Frank Naylor and Marvin Duncan to be members of the Farm Credit Administration Board. I know that some Senators were not entirely satisfied with the written responses that they received to questions submitted to the nominees after our hearing last Thursday.

However, I am informed that the nominees and representatives of the Senators are working on this matter. I have every expectation that the results will be satisfactory. Too, as was stated yesterday, the leadership of the committee has been informed of a third potential nominee to the Farm Credit Administration. Suffice it to say, the gentleman the President contemplates nominating is now undergoing the usual clearance procedures. Also, I am informed that he is a Democrat. Mr. Chairman, in my judgment, it is imperative that the Farm Credit Administration Board be in place as soon as possible.

Therefore, I urge all my colleagues to support the Senate's consideration today of the nominations of Mr. Naylor and Mr. Duncan.

The CHAIRMAN. I would say to our two nominees that you have just seen a typical example of the kind of cooperation that Ed Zorinsky gives constantly. He is a delight to work with in the Senate, and particularly on this committee. Ed, we are going to try to do exactly that.

Perhaps we could meet right after the first vote, which I understand will be about 12:30 p.m. It is also my understanding that the leadership, Mr. Dole and Mr. Byrd, are amenable to dispensing with all of the waiting and so forth. So without objection, I would say to the committee we will try to get together briefly just off the Senate floor after the first vote so that we could report these two nominees, and perhaps Mr. Naylor and Mr. Duncan, as well, confirmed today. Thank you.

Senator ZORINSKY. Mr. Chairman, I want to thank you for your kind words. It is nice to hear them while you are still alive.

The CHAIRMAN. Senator Cochran.

STATEMENT OF HON. THAD COCHRAN, A U.S. SENATOR FROM MISSISSIPPI

Senator COCHRAN. Mr. Chairman, I am glad to be able to welcome two of my very close friends from the House of Representatives to the committee today. Gene Taylor, Bud Hillis, and I were elected to Congress the same year, 1972, and I had the pleasure of serving with them as a fellow Member of the House for 6 years. It is great to see them and have a chance to greet them today.

I do not know when we have ever had any nominee before our committee who has been any more generously introduced and presented to us than Peter Myers has been today. It is a real tribute to him to have the fine statements of Bill Emerson, Gene Taylor, and Jack Danforth. I know he is flattered by that and has to be very grateful for their strong support of him.

I am impressed by it. I look forward to our discussion about his ideas and his role, as he sees it, in the Department of Agriculture. I am sure he is well qualified, and I welcome him and congratulate him on his nomination. I look forward to hearing our new lawyer for the Department of Agriculture, Chris Hicks, who comes well recommended by his long-time friend, Bud Hillis, and others.

I first had an opportunity to visit with him when he was working at the Treasury Department. I know he is a person of competence and integrity and ability, and I think the President has made a good decision in nominating him as the new General Counsel for the Department of Agriculture. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much. Senator Wilson.

STATEMENT OF HON. PETE WILSON, A U.S. SENATOR FROM CALIFORNIA

Senator WILSON. Thank you, Mr. Chairman. I quite agree with Senator Cochran. I think the paeans of praise that have been heaped upon Peter Myers are such that we should all simply sit here and gaze upon him. I am almost intimidated to ask a question.

I thank our colleagues, Congressman Emerson, Congressman Taylor, and Congressman Hillis. I have profound respect for them and for the judgment that they have made. I have had extensive conversation with Mr. Myers, and on short acquaintance I am prepared fully to share and to endorse their views—which has nothing to do with the fact that I am almost a native Missourian, myself. It has to do with the quality of the gentleman involved.

Mr. Hillis' endorsement of Mr. Hicks is persuasive to me, also, and I quite agree with the statement made by our distinguished ranking member. I think we would do very well to get on with the business. I hope we can follow his suggestion and waive the normal procedures and bring these gentlemen aboard just as quickly as possible.

The CHAIRMAN. Thank you very much. Senator McConnell.

Senator MCCONNELL. Mr. Chairman, I would like to welcome our colleagues from the House. It is good to see them over here. I add my amen to all that has been said about the nominees, and suggest that we move ahead with it. Thank you.

The CHAIRMAN. Very well. We will do exactly that. I have got to tell you that some years back, the early fifties, I was here as a staff member to a couple of Senators, and a House Member ran for the Senate and was successful. He came and the Speaker of the House later said that by moving from the House to the Senate he raised the intelligence level of both bodies.

All right. Now, I want Austin to come up here just a moment. Austin, how are you doing? I want you to sit right here and I want you to bang this gavel because I am going to ask your daddy a question. You hit it good and hard.

That is good. He does well. Now, two questions that we must ask your father and the other nominee. If your nomination is approved by the committee and the Senate, do you promise to respond to requests to appear and testify before this committee and any other duly constituted committee of the U.S. Senate?

Mr. HICKS. Yes, sir.

Mr. MYERS. Yes, sir.

The CHAIRMAN. Let the record show that both answered in the affirmative. If you are confirmed by the Senate, will you faithfully execute the laws passed by Congress regardless of any prior statements you may have made or biases you may have held?

Mr. HICKS. Yes, sir.

Mr. MYERS. Yes, sir.

The CHAIRMAN. Let the record show that each answered the question in the affirmative. All right. Thank you, sir. You did well.

We will proceed with your statements, and as we often say, if you want to file a full statement for the record and summarize it, that will be fine.

STATEMENT OF HON. PETER C. MYERS, DEPUTY SECRETARY-DESIGNATE, U.S. DEPARTMENT OF AGRICULTURE

Mr. MYERS. Yes, sir. I am privileged and honored to appear before this committee. I will submit a statement for the record, Senator.[1] I would like to thank my friends, Congressman Taylor, Congressman Emerson and the kind words from all of these gentlemen here, Senator Danforth and Senator Zorinsky. I share your appreciation for Senator Zorinsky because in the time I spent with all of the excellent members of this committee during the conservation section of the farm bill I have come to gain great respect for each and every one of them and their knowledge and ability. So I really am privileged to be here with all of you this morning.

I would say that as the Deputy Secretary, and having been nominated by the President, I intend to fully support Secretary Lyng and his priorities, and look forward to working on bringing prosperity from the marketplace back to American agriculture and agribusiness, and work very hard at enhancing exports which is one of the areas that Secretary Lyng feels very strongly about as I do too. Having been a family farmer for 27 years as you heard my distinguished friends talk about, I am fully aware of the economic problems that we are in in agriculture.

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[1] See p. 20 for the prepared statement of Mr. Myers.

But I also share Secretary Lyng's commitment and strong personal feeling that we are going to work our way out of this. That next year it is going to look better, and the following year it is going to be better. I have a personal commitment toward working that way.

Having been a family farmer, I feel very strongly about family farming and about agribusiness and the agricultural community. I look forward in the years to come, Senator, and all of the committee members, to working with everyone of you to bring that prosperity back to American agriculture. Thank you.

The CHAIRMAN. Mr. Hicks.

STATEMENT OF CHRISTOPHER HICKS, GENERAL COUNSEL-DESIGNATE, U.S. DEPARTMENT OF AGRICULTURE

Mr. HICKS. Thank you, Senator. Mr. Chairman and members of the committee, it is a privilege to appear and present myself today as the President's nominee for General Counsel of the Department of Agriculture.

I am deeply honored that President Reagan and Secretary Lyng have placed sufficient confidence in me to nominate me to direct this important legal office. It would be difficult, I think, to image a more challenging time in which to have this opportunity.

I pledge myself, if confirmed, to manage the legal resources of the Department of Agriculture in the most professional, efficient, and effective way possible in order to assist Secretary Lyng, Deputy Secretary Myers, in carrying out the provisions of the 1985 farm bill and the numerous other statutory authorities of the Department in a manner consistent with congressional purpose and intent.

As the chairman and committee are aware, the legal staff of the Office of the General Counsel numbers about 250 attorneys, evenly divided between the Washington, DC, headquarters and 22 regional field offices.

I believe that my experience in my current position in the Executive Office of the President, and in my prior position at the Treasury Department, will serve me well in the challenge of managing a large organization such as the Office of General Counsel.

I have had the opportunity in the past several days to meet with some of the members of the Department's legal staff. I am impressed with their experience and capabilities. I look forward to working with them, and it would be my hope that I might also look to the committee and its staff for advice at the appropriate times.

I consider it a privilege to be here and I will be happy to respond to any questions.

The CHAIRMAN. Very well. Two very fine statements.

I shall be very brief. I have two or three questions. When Dick Lyng came before this committee for his confirmation earlier this year, he promised what he called "a full court press" to revive U.S. farm exports. Now, I would like your comments on the importance of agricultural exports and the programs authorized in the 1985 farm bill which were designed and which, I think, will, in fact, help increase our agricultural exports. I would like to have your comments on that.

Mr. MYERS. As you are well aware, Senator, exports of agricultural commodities are critical because they range in the 40- to 50-percent level of our total production and most of our basic grain commodities. So the fact remains we have to have a good export program to enhance the prices of our products.

I feel very strongly that the 1985 Agricultural Adjustment Act is going to give us the tools to increase these exports because by tying the loan levels to market prices we are going to be competitive and are right now in some cases in our basic commodities.

When we begin to make other countries nervous that are highly subsidized and complain about our farm bill we know we are on the right track.

The CHAIRMAN. Good sign.

Mr. MYERS. So I feel very strongly, and I commend this committee for the actions that they took in this farm bill so that we can get back our rightful share of the world markets that we need desperately.

The CHAIRMAN. That is the upside. Now, let's look at the bit of the downside. The first signup period for the New Conservation Reserve was somewhat less successful than all of us had hoped it would be, with less than 1 million acres accepted into the Reserve.

Do you have any further information on the second signup period? Will more acres be accepted, and will the criteria for acceptance of bids into the program be changed in any way?

Mr. MYERS. The criterion will not be changed at this point, Senator. We will, of course, look at it in the next signup which we hope to have probably in July for the 1987 crop year, look at the criteria very carefully because we will be in the public comment period with the rules and regulations.

I am happy to say that we have preliminary reports from two States, and the acres bid that will probably be accepted are much higher than the last time in the two States. Friday we will have results, a computerized printout on all States. So it looks very encouraging to us from the preliminary estimates from these two States. The bids will be under the previous cap. So I have great expectations that we are going to get many more acres in this particular signup which ended last week.

The CHAIRMAN. That is good news. Mr. Hicks, you have touched on this. Would there be any elaboration that you would want to offer as to your role as General Counsel of USDA?

Mr. HICKS. I think that it is obvious that I will serve as the chief legal advisor to the Secretary and his senior staff and other members of the Department. Although I do not have a background specifically in agricultural legal matters, I do think with the management experience that I have had in a couple of positions will serve me well there. I think that my experience at Treasury with the financial issues and international issues there, especially with the important issue that you have touched on with farm exports, will serve me well. I hope to strengthen the relationship with the Office of General Counsel and members of the staff of the Executive Office of the President.

I think it is also important with many members of the new team at the Department to work closely with them to make sure that issues that should be reviewed by the Office of General Counsel are

brought to that office in a timely manner early on in the decision-making process.

The CHAIRMAN. Ed, that was kind of a leading question. Chris came by the other day, and I don't mean for anybody to infer any criticism of anybody in the past. But all across the board with the Government, any administration, whether it be Democrat or Republican, it has been my experience that so many of the general counsels are quick to say no. I told Chris that we are all in this together in trying to pull the farmers out of the hole, and that rather than just say "no" to each problem that comes up, let's work together, Congress and the administration, and find a solution that will work. He agreed with that, and that is the reason I asked him the question.

The committee has always had a close working relationship with the USDA's Office of General Counsel, and we are going to be relying on you. But I want to emphasize to both of you that it is a two-way street. When you need us, when you have ideas about what we can do, do not hesitate to let us know. You better believe it will work the other way.

Mr. Hicks, would you discuss the impact that the litigation surrounding the activities of the Farmers Home Administration has had on the resources of the Office of General Counsel?

Mr. HICKS. Like many budgets in Government, the Office of General Counsel has taken its Gramm-Rudman reduction like everyone else. So we are doing more with less. The Farmers Home Administration litigation is a good example. I was given information last week. I believe there is something like 30,000 active cases under the lawyer who is handling the Farmers Home Administration.

That is not the only area of increased activity. Across the board in many areas new issues are arising, and Office of General Counsel resources are being applied there. I think the heightened discussion of international trade issues after the Tokyo summit and the upcoming GATT may well also have an impact later this year on the resources of the Office.

The CHAIRMAN. So you think the load is going to continue for awhile?

Mr. HICKS. No doubt that it will.

The CHAIRMAN. The Department has issued, and of course will continue to issue, regulations to implement that monstrosity in terms of the work that we call the 1985 farm bill. As I recall, it had 19 titles, about 2,500 provisions, and one copy of it weighed 13 pounds. It is the biggest piece of legislation in many ways that has gone through the Senate.

Mr. Hicks, I am sure that trying to implement that farm bill has been a problem for the General Counsel's Office, too, in terms of resources.

Mr. HICKS. I omitted to say that, but it is obviously true. It is a massive piece of legislation, and there is a lot of work that has been done there. I have not been over to the Department to get involved in the issues myself, but no doubt much of my time will be spent with it.

The CHAIRMAN. Right. Very well. Senator Zorinsky.

Senator ZORINSKY. Thank you, Mr. Chairman. Mr. Secretary, has anyone at the Department seriously thought about where we are going to put all the grain from this year's harvest?

Mr. MYERS. Yes, they have, and we are looking into that. We know that we are going to have problems with grain storage. We are looking at approving temporary types of storage with plastic on concrete foundations, this type of thing. So we are very concerned about the grain storage because Texas, for instance, has 77 percent of their capacity filled right now. So we know we have a problem. ASCS is looking into this and taking some action.

Senator ZORINSKY. I fear that we may have to be back here wondering what to do about storage, about the deterioration of the grain in storage, and the farmer's plight concerning his investment in the grain. I just hope the committee can get a little lead time instead of just reacting to crises on an emergency basis.

Mr. MYERS. I agree.

Senator ZORINSKY. That is all I have, Mr. Chairman.

The CHAIRMAN. Thank you very much. Senator Cochran.

Senator COCHRAN. Thank you, Mr. Chairman. I am very concerned about the lack of participation so far by landowners and farmers in the Conservation Reserve Program. I think there is some difficulty being encountered in the start up of the program. A lot of farmers have questions that they have difficulty getting answers to. I know everybody is becoming familiar with the regulations of the program.

I hope that as Deputy Secretary, you will be able to provide strong leadership—I am confident you will—to help ensure that the maximum amount of acreage be included as authorized by the farm bill in the Conservation Reserve Program. Do you feel that that is a reasonable expectation for those of us who were involved in the writing of that bill?

Mr. MYERS. Senator, I think it is a reasonable expectation. The problem is what we are doing in the reserve, we are bidding against our own high deficiency payments in the Farm Program. I hope at the end of 5 years, we will have that 40 million acres that we are shooting at.

If what we are seeing in the preliminary results of the second signup are any indication, we should accomplish it, but it will not be easy because the farmer is going to be looking on a year-by-year basis as to what he can net the most income from per acre. If deficiency payments provide that, he is going to have to look at that very hard instead of looking at a lower income duration for a longer period of time.

So we are going to have this competitiveness with our own farm program. But we are going to aggressively go after these acres. You have my commitment and I know Secretary Lyng feels the same way because I have heard him voice the same thing.

Senator COCHRAN. Well, I appreciate that. I know that with your background in the Soil Conservation Service and your involvement with the committee and with the House committee, too, in the writing of the farm bill last year, you are very committed to the program. I am delighted to have that response.

There are some other provisions of the farm bill which I think will go a long way toward helping assure distressed farmers that

this administration is going to administer the farm bill in a way that is sensitive to their needs, and illustrates an understanding of the seriousness of the economic situation in rural America today.

I am specifically referring to the homestead provision, the Softwood Timber Conservation Program, and the Conservation Easement Program for Wildlife Habitat. All three of these provisions in the farm bill are designed to provide some relief to distressed farmers, particularly borrowers from the Farmers Home Administration, who are confronted with possible foreclosure, or forced liquidation proceedings.

One program permits them to save their homes. The other two programs permit them to convert the use of the land to a more economically feasible use in the case of the softwood timber provision, and another permits them to escape the burden of some of the principal indebtedness by conveying to the Government an easement for wildlife habitat purposes of lands that just cannot be economically farmed. They are in production because of high prices for soybeans or some other crop. They never should have been put in production.

I am very strongly interested in these provisions of the farm bill. I know there has been a delay in the writing of regulations on the latter two programs, the softwood timber provision, and the conservation easement provision.

I am glad to see the regulations are out now, and the Farmers Home Administration is actively pursuing the implementation of the homestead provision. Can we have your assurance that you will try to get behind an effort to make these programs become a reality for distressed farmers throughout the country?

Mr. MYERS. I have already taken an active interest in the conservation easement, working with FmHA on that particular program, Senator. I will continue to do that. The homestead provision, as I understand, is being implemented, and I intend to be involved in it because I agree with you it is important. I will be involved in the softwood timber also. All three, as you said, I think have great merit.

Senator COCHRAN. One other area that concerns me at the moment, and that is the way the Department is interpreting a provision in the Loan Deficiency Program that would require cotton producers to put all of their production under the loan, or none of it under the loan. No longer will they have the flexibility that cotton producers have had since the beginning of time to have some marketing leeway and place some of their production under the loan and some they may not put in the loan.

Right now there is somebody over there who has decided—I don't know on what basis—that the Congress intended to make a change in that in the writing of the farm bill last year. No such change was intended. A letter has been sent to the Department signed by every Senator who comes from a cotton-producing State saying that was not his intent when the vote was cast on the farm bill.

It certainly was not the intent of this Senator who was very deeply involved in the development and the writing and drafting of that section of the farm bill. I cannot find anybody who had that intent. I do not understand how somebody down in the Office of

General Counsel can make a decision as to what we intended when there is absolutely no evidence to support it, none.

But yet, a legal decision, as I understand it, is about to cause the Department to implement a policy totally contradictory to the views of Congress and contradictory to the clear provisions of the farm bill. I do not know how something like that can happen. We will have an opportunity, I am sure, to express our intent in language in a bill that may be coming though the Congress. We hate to put it in an appropriations bill, but we might have to, to get the point across. I hope that both nominees will look into this problem, and I would like to have the assurance of both of you that you will take some time to investigate this difficulty, try to set it straight if it is possible to do so administratively so that we will not have to submit another technical change to the farm bill to try to re-explain what we said when we wrote the bill to begin with.

Mr. MYERS. Having been a cotton farmer for 20 years, I understand exactly the implications of this problem, and I have already talked to Mr. Hertz about it, and I can assure you that it will get my attention.

The CHAIRMAN. Do you consider that an expression of legislative intent?

Mr. MYERS. Yes, sir; I do.

The CHAIRMAN. Senator Wilson.

Senator COCHRAN. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, sir.

Senator WILSON. Thank you, Mr. Chairman. I think Senator Cochran has a certain gift for clarity. Mr. Chairman, I have a number of questions, but in the interest of time, I am going to confine myself to one. I have already discussed it with Mr. Myers. I would like to ask Mr. Hicks if he concurs in what has been an expressed opinion of the Office of General Counsel. That has to do with the trade title which under your leadership, Mr. Chairman, we placed in the farm bill last year to assist those American farmers engaged in exporting to markets where they face subsidized competition. As much as we are all opposed to the kind of heavy subsidies on the part of a number of our trading partners, I think that we have come reluctantly to view that we are going to have to fight fire with fire in a number of areas, one of which has been to provide some kind of export subsidy in certain situations.

The question that I have of Mr. Hicks is whether he agrees with the interpretation of the law that has been expressed by the Department's counsel to date that the title in the farm bill that provided for such export subsidy could as well be used to offset the kind of retaliatory tariff increase that has been imposed or threatened in some cases by the EC which has the effect of really placing an unfair burden on a single segment of our agriculture?

I have in mind, in particular, the counterretaliation in the pasta war that was taken by the EC against walnuts. The walnut growers have suffered a tremendous loss of market as a result of what are clearly, I think, GATT-illegal actions by the EC, but they are nonetheless in effect.

Mr. HICKS. I am aware of the issue, Senator. I agree with you they are difficult issues. I have not been at the Department, though, and I have not been involved up to date in the develop-

ment of legal policy. The export subsidies and unfair competition areas are of particular interest to me, however. I assure you that once I get over there, committee willing, I will look into it right away.

Senator WILSON. I would urge you to do so because it is not an academic problem. It is one that is being faced and the need for that kind of assistance is real and urgent. As I have indicated, the Department's expressed view is that the subsidy is available for that purpose, and I hope that you will concur. If you do not, I would like to discuss it with you. Thank you.

The CHAIRMAN. I would like to ask our distinguished friends from the House to stick around just a moment for a picture and the two Senators, if you will. There being no further business to come before the committee, we stand in recess.

[Whereupon, at 11:05 a.m., the committee adjourned, subject to call of the Chair.]

[COMMITTEE NOTE.—May 21, 1986, the nominations of Peter C. Myers and Christopher Hicks were reported to the Senate. June 3, 1986, Peter C. Myers was confirmed by the Senate. June 6, 1986, Christopher Hicks was confirmed by the Senate.]

APPENDIX

STATEMENT OF HON. MITCH McCONNELL, A U.S. SENATOR FROM KENTUCKY

Mr. Chairman: I first want to express my support for these two nominees. Although quite frankly I would have preferred someone with a little more agricultural background to be USDA's General Counsel, Christopher Hicks comes to this position with impeccable legal credentials. He's certainly going to have his hands full in dealing with all the legal eccentricities found in the 1985 farm bill and this Senator is counting on him to work with us to see that the farm bill is implemented correctly. I wish him good luck in this new endeavor.

Let me join my colleagues in giving my enthusiastic support to Peter Myers. I can think of no better choice for Deputy Secretary of Agriculture at this time than Peter Myers and I'm confident that the confirmation process will be a mere formality.

Peter brings a quality to this position which has been missing in the highest levels of the Department: the ability to be an articulate and effective spokesman for agriculture. Mr. Chairman, I thought that Peter Myers was the shining star of USDA during last year's farm bill deliberations. His forthright yet pragmatic approach to the agricultural situation gives him instant credibility not only here on the Hill, but out in the countryside as well.

That's really important, too. The farmers of America need to have someone as their spokesman who truly appreciates the difficult times in agriculture. If I might seek the indulgence of the committee for just a minute, I'd like to relate a personal testimony given by Peter Myers himself which demonstrates his unique perspective of today's agricultural crisis.

It seems as though a Missouri grain farmer had gotten himself into a habit of buying a new 4-wheel drive truck every 2 or 3 years whether he needed it or not. He had to have the best airconditioned tractors credit could buy to farm all the land that he could borrow money to buy or rent. Things did indeed look good down on the Myers farm. But he went out to buy one more piece of land which was going to be available and the keeper of the home, Mrs. Peter Myers, decided enough was enough and she wouldn't sign another bank note. Not too long after that, the Federal Land Bank informed Mr. Myers that he needed to sell some land, because his debt load was rapidly becoming larger than he could handle. Luckily, he was forced to deal with an over-extended debt problem before the bottom fell out of the land market, so he came out

okay. But as I said before, Mr. Chairman, this experience certainly gives Peter Myers an insight into the situation in rural America that few at USDA have.

Peter has earned the trust of the members of this committee and I'm confident he'll earn the trust of the American farmer as he embarks on this new job. I wish him all the best luck in leading the effort to get American agriculture back on its feet.

STATEMENT OF THE HON. ALAN J. DIXON, A U.S. SENATOR FROM ILLINOIS

Mr. Chairman, I am pleased to be here this morning as the Senate Agriculture Committee considers the nominations of Peter C. Myers to be Deputy Secretary of Agriculture, and Christopher Hicks to be General Counsel for the Department of Agriculture.

I would like to remind the nominees of the great crisis we are facing in the agricultural sector of our Nation, and would urge them to work with the members of this committee, and the House Agriculture Committee, in an effort to find solutions to problems.

I have looked closely at the credentials of these two nominees, and look forward to hearing about the nominees' goals in their new positions.

Thank you, Mr. Chairman

STATEMENT OF HON. BILL EMERSON, A REPRESENTATIVE IN CONGRESS FROM THE EIGHTH DISTRICT OF MISSOURI

Mr. Chairman: It is an honor and a pleasure for me to endorse the nomination of Mr. Peter C. Myers for the position of U.S. Deputy Secretary of Agriculture.

As you know, I have the privilege of representing the Eighth Congressional District of Missouri where Peter Myers farmed a successful agriculture operation from 1955 to 1981. A native of Southeast Missouri myself, I thus have the combined pleasure of knowing Peter on a personal level and working with him on agriculturally related issues.

An expert in soil conservation, Peter left his Southeast Missouri farm in 1981 to assume the position of Chief to the Soil Conservation Service--a post he held until May 1985. Because of his successful tenure as SCS Chief, and because of his first hand success of applying innovative soil conservation practices at his own Southeast Missouri farm, Peter was selected as Assistant U.S.D.A. Secretary for Natural Resources and the Environment.

Although I've been honored to know him and work with him for many years, it was a special pleasure to work with Peter on 1985 farm bill. Peter's innovative ideas on soil conservation--combined with his proven personal experience in this field--were instrumental indeed when drafting the soil conservation title of the farm bill. As you know, the soil conservation portion of the farm bill is the most innovative conservation concept to be adopted by Congress since the 1930's. In fact, it has been commonly referred to as the highlight of the 1985 farm bill.

I was elated when the President nominated Peter for the position of Deputy Secretary at U.S.D.A.--a position I believe Peter will carry out with the greatest degree of professionalism, expertise, and compassion.

A midwestern farmer, Peter understands the unique opportunities and problems facing this country's farmers--in the farm belt and throughout the country. He knows first hand the plight of our Nation's farmers and will bring to this position the sensitivity and progressive leadership needed to help us bring back real prosperity to rural America and to the family farm.

Anyone that has had the privilege of knowing Peter Myers can attest to his kind nature, his personal fortitude and professional integrity. He is a deeply religious man who espouses solid midwestern values and ideals, which frankly, I feel we need more of in the highest levels of government.

Mr. Chairman, I heartily support Mr. Peter C. Myers for the position of U.S. Deputy Secretary of Agriculture. I respectfully ask this body to act favorably and quickly on his confirmation.

STATEMENT OF HON. E. THOMAS COLEMAN, A REPRESENTATIVE IN CONGRESS FROM THE SIXTH DISTRICT OF MISSOURI

Mr. Chairman, it gives me great pleasure to support the nomination of Mr. Peter C. Myers for the position of U.S. Deputy Secretary of Agriculture.

During Mr. Myers' thiry-one year career in agriculture, he has developed an outstanding record of achievement, both as a farmer in Southeastern Missouri and as an agriculture policy leader at the U.S. Department of Agriculture.

I had the opportunity to work closely with Mr. Myers on the soil conservation title of the 1985 farm bill. Mr. Myers' years of work with the U.S. Soil Conservation Service, as its Chief, and later as Assistant Secretary of Agriculture with policy oversight of the SCS, was very helpful as we drafted this historical concept in soil preservation.

As a Midwest farmer, I believe Mr. Myers will represent the Midwest perspective we need at the U.S. Department of Agriculture. Mr. Myers understands and knows first hand of the plight of Midwestern farmers and will bring to this position the compassion and innovative ideas we need to salvage a very critical situation.

Through his proven record of experience in the development of agricultural policy, in farming, and his years of active participation in agriculture activities, that span the Missouri Pork Producers and Cattleman's Association, the Missouri Farm Bureau Federation, the Extension Service, and 4-H, Mr. Myers has demonstrated over and again, his depth of knowledge of agriculture, his creativity in responding to a fast changing and troubled industry and his dedication to this great American way of life.

Mr. Chairman, I support Mr. Peter C. Myers for the position of U.S. Deputy Secretary of Agriculture and hope this body will act favorably and quickly on his confirmation.

STATEMENT OF HON. PETER C. MYERS, DEPUTY SECRETARY-DESIGNATE, U.S. DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the committee: I am deeply honored to appear before this committee as President Reagan's nominee to be Deputy Secretary of Agriculture.

It has been a privilege to have worked closely with this committee during the past four years as I have served, first as Chief of the Soil Conservation Service and now, as Assistant Secretary of Agriculture for Natural Resources and Environment. I could not have wished for a more challenging honor than to be nominated now to serve as Deputy to Secretary Richard Lyng, who is respected and trusted by President Reagan and who holds a mastery of agricultural policy that is familiar to each one of you.

Mr. Chairman, I am committed to doing my utmost to help accomplish Secretary Lyng's priorities, which he outlined to this committee during his own confirmation hearing in March. The first and most important of these priorities is to increase farm income. Secretary Lyng has already begun work towards this effort by having implemented major provisions of the 1985 farm bill, including the vital Export Enhancement Program. Equally important, Secretary Lyng is working directly with Ambassador Clayton Yuetter, the President's Special Trade Representative to improve and strengthen international rules for free and fair trade practices with our foreign trading partners.

Mr. Chairman, before being asked to serve in Washington, I spent 27 years operating our family farm in southeast Missouri where my wife, Mary and I, raised five children, and today, our son-in-law is keeping it in operation. The family farm has been our life, and it is our children's future. America's rural communities and family farms are, and always will be, my center of reference as I help administer America's agricultural policy.

We all know that conditions have been and in some places continue to be tough for our Nation's farmers. I know this first-hand, our family farm has experienced its share of tough times during the past few years. Despite these tough times, I believe that agriculture is on the mend and we will see a strong new course of competitiveness and profitability for all of American agriculture.

American agriculture has the right leader in Secretary Lyng. We have the right farm bill. But most importantly, I know America's tough, hard working farmers--with tough lessons learned under their belts--will be better farm operators and be better managers of their money and credit--in the profitable years ahead.

Mr. Chairman, I would like to close my remarks with the words Secretary Lyng has said so well before me: "American agriculture will survive and thrive in the years ahead. This is no time for pessimism. It is, rather, a time for hard work and confidence in the days ahead."

Thank you Mr. Chairman and now I would be happy to respond to any question you or members of the committee might have.

United States of America,
Office of Government Ethics,
Office of Personnel Management,
Washington, D.C., May 14 1986.

Honorable Jesse A. Helms,
Chairman, Committee on Agriculture
Nutrition, and Forestry
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Peter C. Myers*, who has been nominated by President Reagan for the position of Deputy Secretary of Agriculture.

We have reviewed the report and have also obtained advice from the Department of Agriculture concerning any possible conflict in light of the Department's functions and the nominee's proposed duties. We have attached to the report a letter from Mr. Myers outlining the steps he intends to take in order to avoid the possibility of an actual or apparent conflict of interest.

Based thereon, we believe that Mr. Myers is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

David H. Martin, Director.

Enclosure.*

Department of Agriculture,
Office of the Secretary,
Washington, D.C., May 16, 1986.

Honorable Jesse A. Helms
Chairman, Committee on Agriculture, Nutrition,
and Forestry, United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

On April 15, 1986, I submitted to the Office of Government Ethics a copy of my SF 278, Financial Disclosure Report, required in connection with my nomination to serve as Deputy Secretary of Agriculture. That report contained all required financial information for calendar year 1985 and for the current calendar year through April 15, 1986.

The Ethics in Government Act of 1978, as amended, also requires that I update certain of the information reported on the SF 278, i.e., that required by section 202(a)(1)(A) of the Act, respecting income (other than dividends, interest, rents, and capital gains) and honoraria, to a date which occurs five days before the date of the hearing held by your Committee to consider my nomination. The

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*Retained in Committee files

hearing to be held on my nomination is presently scheduled for Wednesday, May 21, 1986. The purpose of this letter is to report that, as of May 16, 1986, I have received no income or honoraria in addition to those categories and amounts of income shown on my Financial Disclosure Report as dated and filed on April 15, 1986.

I trust that this letter satisfies the additional applicable reporting requirements contained in the Ethics in Government Act.

Sincerely,

PETER C. MYERS,
Assistant Secretary for Natural
Resources and Environment.

Department of Agriculture,
Office of the Secretary,
Washington, D.C., May, 13 1986.

The Honorable David H. Martin
Director, Office of Government Ethics
1900 E Street, N.W.
Washington, D.C. 20415

Dear Mr. Martin:

The purpose of this letter is to describe the steps which I intend to take in order to assure that no actual or apparent conflict of interest will exist between my personal financial interests and the duties I will perform if I am confirmed to serve as Deputy Secretary of Agriculture.

I have served since May 1985 as Assistant Secretary of Agriculture for Natural Resources and Environment. In addition, I am a joint owner with my wife of our family farm, comprised of approximately 400 acres of land located in New Madrid County, Missouri. I also own a 30% partnership interest in the Myers Megowen and Myers Limited Partnership, which holds title to approximately 500 additional acres of farm land also located in New Madrid County, Missouri. Soybeans, grain, and hogs are produced on these farms.

In connection with my appointment as Deputy Secretary of Agriculture, I pledge that (1) I will abstain from any and all management responsibilities and functions on the above-described farm entities, and (2) I will receive no salary or other earned income from these farming operations during my tenure as Deputy Secretary. As I have done since January of 1986, I will continue to receive income in the form of cash rents from the Myers family farm. Payment for the lease of this land is in the form of a fixed cash rental per acre, which is not dependent upon the market conditions for the crops or livestock produced or upon the profitability of the farming operation. The income I will receive from my ownership interest in the lands owned by the Myers Megowen and Myers Limited Partnership will be in the form of a fixed cash payment in the amount of $10,000 per year, which amount is likewise not dependent upon either market conditions or the profitability of the farming operation.

I believe that the steps I have agreed to take, as described above, will assure that no actual or apparent conflict of interest will exist between my personal financial interests and the duties I will perform as Deputy Secretary of Agriculture.

Sincerely,

PETER C. MYERS,
Assistant Secretary for Natural
Resources and Environment.

BIOGRAPHICAL SKETCH OF PETER C. MEYERS

Peter C. Meyers was appointed Assistant Secretary of Agriculture for Natural Resources and Environment by President Reagan on May 16, 1985. As Assistant Secretary for Natural Resources and Environment, Mr. Myers is responsible for directing the policies of the Forest Service and the Soil Conservation Service.

Before accepting his present position, Mr. Meyers served as Chief of the Soil Conservation Service since April of 1982.

Before his appointment as Chief of the Soil Conservation Service, Mr. Myers operated his row crop and livestock farm in southeast Missouri for 27 years. During this period Mr. Myers served as a Commissioner of the Missouri Department of Conservation, on the Governor's Advisory council on Agriculture, on the Governor's Task Force on Soil and Water Conservation, as Vice President of the Missouri Cattlemen's Association, and as a board member of the Missouri Farm Bureau Federation. Mr. Myers was also selected by Jaycees as Missouri's Outstanding Young Farmer and a National Outstanding Young Farmer in 1966.

Mr. Myers attended the University of Wisconsin, majoring in agronomy and animal husbandry. After receiving his B.S. degree, he was commissioned in the U.S. Army where he served a tour of duty as a Lieutenant in the Ordinance Corps.

Mr. Meyers is married to Mary Williamson and they have five children and grandchildren. They reside in Annandale, Virginia, and attend the Word of Life Assembly of God church.

National Forest Products Association,
Washington, D.C., May 21, 1986.

The Honorable Jesse Helms,
Chairman, Committee on Agriculture,
United States Senate
Washington, D.C. 20510

Dear Chairman Helms:

On behalf of the National Forest Products Association, I write to support the nomination of Peter C. Myers for the position of Deputy Secretary of Agriculture. The National Forest Products Association represents more than 2,000 timber growing, wood products manufacturing and distribution companies which operate in every state and Canada. NFPA is comprised of twenty-nine

regional, product line, and specialty service associations as well as a number of direct member companies.

We have worked with Secretary Myers during his tenure as Deputy Assistant Secretary of Agriculture for Natural Resources and Environment. We have found him to be knowledgeable and effective in fulfilling his responsibilities. We have no doubt that he will be an effective Deputy Secretary as well and, therefore, we fully endorse his nomination.

Thank you for the opportunity to present our views on this matter.

Sincerely,

David E. Stahl, President.

United States of America,
Office of Government Ethics,
Office of Personnel Management,
Washington, D.C., May 13, 1986.

Honorable Jesse A. Helms
Chairman, Committee on Agriculture,
Nutrition, and Forestry
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Christopher Hicks*, who has been nominated by President Reagan for the position of General Counsel, Department of Agriculture.

We have reviewed the report and have also obtained advice from the Department of Agriculture concerning any possible conflict in light of the Department's functions and the nominee's proposed duties. Based thereon, we believe Mr. Hicks is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

David H. Martin, Director.

Enclosure.*

The White House,
Washington, May 20, 1986.

The Honorable Jesse Helms
Chairman, Committee on Agriculture,
Nutrition, and Forestry
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

On May 1, 1986, I submitted to the Office of Government Ethics a copy of my SF 278, Financial Disclosure Report, required in

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*Retained in Committee files.

connection with my nomination to serve as General Counsel of the Department of Agriculture. That report contained all required financial information for calender year 1985 and for the current year through May 1, 1986.

The Ethics in Government Act of 1978, as amended, also requires that I update certain of the information reported on the SF 278, i.e., that required by section 202(a)(1)(A) of the Act, respecting income (other than dividends, interest, rents and capital gains) and honoraria, to a date which occurs five days before the date of the hearing held by your Committee to consider my nomination. The hearing to be held on my nomination is presently scheduled for Wednesday, May 21, 1986, I have received no income or honoraria in addition to those categories and amounts of income shown on my Financial Disclosure Report as dated and filed on May 1, 1986.

I trust that this letter satisfies the additional applicable reporting requirements contained in the Ethics in Government Act.

Sincerely,

Christopher Hicks,
Deputy Assistant to the
President for Administration.

BIOGRAPHY OF CHRISTOPHER HICKS

Christopher Hicks was born in Washington, D.C., in 1950. He received his Bachelor of Arts degree from Colorado College in Colorado Springs in 1972 and earned his J.D. from Southern Methodist University in 1977. At SMU, he was an editor of the law review, an officer of the student government, and a member of Barristers (an honorary scholastic/service organization).

In 1977, Mr. Hicks was a briefing attorney for the Supreme Court of Texas, and in 1978 he joined the firm of Fulbright and Jaworski in Houston, Texas. During the 1980 Presidential campaign, Mr. Hicks was an advanceman for the Reagan/Bush campaign.

The President appointed Mr. Hicks Deputy Assistant to the President for Administration and Director of the Office of Administration early in 1985. Previously, Mr. Hicks was Associate Counsel in the Office of the Counsel at the White House, and later an Associate Director (Economic and Transportation Group) of the Office of Presidential Personnel. From December 1983 until January 1985, he served as Executive Assistant to the Secretary of the Treasury and Executive Secretary for the Treasury Department.

Mr. Hicks resides in Maryland with his wife, Elizabeth Bellamy Hicks, and their two sons, Austin and Adam.

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